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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,695	06/28/2000	Steven Michael Schein	108.0003-00000	6334
22882	7590	01/12/2005	EXAMINER	
MARTIN & FERRARO, LLP 1557 LAKE O'PINES STREET, NE HARTVILLE, OH 44632			YOUNG, JOHN L	
			ART UNIT	PAPER NUMBER

3622

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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NOTICE OF NON-COMPLIANT AMENDMENT— 37 CFR 1.121

1. The amendments to the claims filed on 07/14/2004 do not comply with the requirements of 37 CFR 1.121(c) because in the amendments to claims 1, 9, 17, 27 & 32 it is not easily perceived that some of the text is marked with strikethrough markings in efforts to show deleted text. Therefore, instead of strikethrough markings to show deletion of some of the text where the strikethrough markings are imperceptible, the deleted text must be shown by double brackets, i.e., **[[the]]** instead of -- ~~the~~ --.

The amendments to the claims must be made as in the following examples:

Claim 1 at line 12, after the word “upon” delete “~~the~~” and replace it with -- **[[the]]** --.

Claim 9 at line 11, delete “~~each of~~” and replace it with -- **[[each of]]** --.

Claim 17 at line 11, after the word “of” delete “~~the~~” and replace it with -- **[[the]]** --.

Claim 17 at line 11, after the word “with” delete “~~the~~” and replace it with -- **[[the]]** --.

Claim 27 at line 8, after the word “correlating” delete “~~the~~” and replace it with -- **[[the]]** --.

Claim 27 at line 10, after the word “for” delete “~~each~~” and replace it with -- **[[each]]** --.

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Claim 27 at line 11, after the word "on" delete "the" and replace it with -- [[the]] --.

Claim 27 at line 16, delete "the" (first and second occurrences) and replace them with -- [[the]] --.

Claim 32 at line 5, after the word "least" delete "one" and replace it with -- [[one]] --.

Appropriate corrections must be made.

Amendments to the claims filed on or after July 30, 2003 must comply with 37 CFR

1.121(c) which states:

(c) *Claims*. Amendments to a claim must be made by rewriting the entire claim with all changes (e.g., additions and deletions) as indicated in this subsection, except when the claim is being canceled. Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims ever presented, including the text of all pending and withdrawn claims, in the application. The claim listing, including the text of the claims, in the amendment document will serve to replace all prior versions of the claims, in the application. In the claim listing, the status of every claim must be indicated after its claim number by using one of the following identifiers in a parenthetical expression: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New), and (Not entered). . . .

(2) *When claim text with markings is required*. All claims being currently amended in an amendment paper shall be presented in the claim listing, indicate a status of "currently amended," and be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. Only claims having the status of "currently amended," or "withdrawn" if also being amended, shall include markings. If a

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withdrawn claim is currently amended, its status in the claim listing may be identified as "withdrawn—currently amended."

Since the reply filed on 07/14/2004 appears to be *bona fide*, Applicant is given a TIME PERIOD of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

CONCLUSION

2. Any response to this action should be mailed to:

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Any response to this action may be sent via facsimile to either:

(703)305-7687 (for formal communications EXPEDITED PROCEDURE) or

(703) 305-7687 (for formal communications marked AFTER-FINAL) or

(703) 746-7240 (for informal communications marked PROPOSED or DRAFT).

Hand delivered responses may be brought to:

Seventh Floor Receptionist
Crystal Park V
2451 Crystal Drive
Arlington, Virginia.

Any inquiry concerning this communication or earlier communications from the examiner

Serial Number: 09/605,695 (Schein)

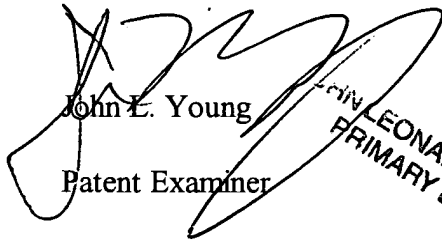
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should be directed to John L. Young who may be reached via telephone at (703) 305-3801. The examiner can normally be reached Monday through Friday between 8:30 A.M. and 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, may be reached at (703) 305-8469.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.


John L. Young
Patent Examiner
LEONARD YOUNG, ESQ.
PRIMARY EXAMINER

January 9, 2005